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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,267	09/28/2001	Jamie J. Goins	0112300-860	5216
29159	7590	05/24/2004	EXAMINER	
BELL, BOYD & LLOYD LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			CAPRON, AARON J	
			ART UNIT	PAPER NUMBER
			3714	8

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/967,267

Applicant(s)

GOINS ET AL.

Examiner

Aaron J. Capron

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is a response to the Amendment received on March 1, 2004, in which claims 1, 17, 24, 28, 35, 40, 45, 50, 56-57 and 61-62 were amended and claims 68-75 were added. Claims 1-75 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 11-19, 21-32, 36-45, 48-58, 60-64 and 67-75 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by JP Pub No. 11-033163 (hereafter “JP ‘163”).

JP ‘163 discloses a gaming device comprising a housing, a refractive light display connected to the housing, the refractive light display including a refractive surface; at least one light source connected to the housing for directing light into the refractive light display; and a processor for controlling the light source to selectively direct light into the refractive light display to illuminate the refractive surface in the refractive light display in coordination with a game function (abstract and Figures 1-3b).

Referring to claim 45, JP ‘163 discloses a slot machine. Slot machines are electro-mechanical devices that can be disassembled and thus, movably mounted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3714

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-10, 20, 33-35 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP '163.

Referring to claims 8-10 and 33-35, JP '163 discloses a slot machine having an LED display, but does not disclose having mechanical reels. However, it is notoriously well known within the art of slot machines to have a mechanical reel in order to attract players who prefer to play the more mechanized slot machines. One would be motivated to provide a set of mechanical reels to the slot machine of JP '163 in order to attract players who prefer to play the more mechanized slot machines. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate mechanical reels into the slot machine of JP '163 in order to attract players who prefer to play the more mechanized slot machines.

Referring to claims 20 and 59, JP '163 discloses having reflection faces, but fails to disclose having a metallic like reflecting material. However, it is notoriously well known within the art of reflecting light to use metallic materials to maximize the reflective properties. One would be motivated to provide a metallic coating on the reflective face in order to maximize the reflective properties of the face. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a metallic coating on the reflective face of JP '163 in order to maximize the reflective properties of the reflective face.

Claims 45-52 and 63-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams (U.S. Patent No. 5,848,932) in view of Bulkley (U.S. Patent No. 3,800,451) and Hagiwara (U.S. Patent No. 5,580,055).

Adams discloses a housing, an award display, a light source and a processor for controlling the award display and the light source for indicating at least one symbol on the award display or at least one game mode, but does not disclose a refractive light display or a processor for controlling the light source to selectively direct light. However, Bulkley discloses a rotating artistic display device that provides an ever-changing, eye-catching display (abstract). One would be motivated to provide the circular lenticular display (refractive light display) around the bonus wheel of Adams in order to provide an ever-changing, eye-catching display to attract players to play the game. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the lenticular display of Bulkley into the bonus wheel of Adams in order to attract players to play the game.

Referring to claims 46-47, Adams in view of Bulkley disclose the award display and the refractive light display, but do not disclose whether the displays move in the same or different directions and simultaneously or alternately. However, it would be obvious to one of ordinary skill in the art to adjust the sequence between the award display and the lenticular display in order to provide an ever-changing eye-catching display to maximize the gaming machine's attraction to the players. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the ever-changing displays into the gaming machine of Adams and Bulkley in order to maximize the gaming machine's attraction to the players.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hagiwara (U.S. Patent No. 5,580,055) discloses an amusement device and selectively enhanced display for the same.

Sokol (U.S. Patent No. 4,689,604) discloses a moving visual display apparatus.

Fuchs (U.S. Patent No. 2,617,221) discloses an edge illuminated sign.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron J. Capron whose telephone number is (703) 305-3520. The examiner can normally be reached on M-Th 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ajc


JESSICA HARRISON
PRIMARY EXAMINER